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REPORT OF THE SECRETARY-GENERAL CONCERNING THE SITUATION IN ABKHAZIA, GEORGIA

I. INTRODUCTION

1. The present report is submitted pursuant to paragraph 12 of resolution 993 (1995) of 12 May 1995, in which the Security Council asked me to report every three months from the date of the adoption of the resolution on all aspects of the situation in Abkhazia, Republic of Georgia, including the operations of the United Nations Observer Mission in Georgia (UNOMIG). It is based on information available to the Secretariat up to 3 November 1995. My previous report was issued on 7 August 1995 (S/1995/657).

II. POLITICAL ASPECTS

2. In my reports of 1 May and 7 August 1995 (S/1995/342 and S/1995/657), I informed the Security Council of the activities of my Special Envoy for Georgia, Mr. Edouard Brunner, and the efforts being made by the Russian Federation, in its capacity as facilitator in the Georgian-Abkhaz peace process, to prepare a draft text that might provide the basis for a Georgian-Abkhaz settlement.

3. My Special Envoy visited Moscow on 28 and 29 August to meet Mr. A. A. Bolshakov, Deputy Prime Minister, and Mr. Boris Pastukhov, Deputy Foreign Minister of the Russian Federation, as well as other senior Russian officials. He also held extensive discussions with the Georgian and Abkhaz sides in talks convened in Moscow by the Russian Federation with the purpose of reaching agreement on the draft protocol (see S/1995/657, paras. 2 and 3). The Abkhaz side, however, refused to accept the draft protocol as a basis for negotiation. The talks had been preceded by a special session of the Supreme Soviet of Abkhazia, which had adopted a resolution recommending that the Abkhaz delegation should act in accordance with the provisions of the "constitution" for Abkhazia adopted on 26 November 1994, which had declared Abkhazia to be a "sovereign democratic State".

4. With effect from 1 October 1995, I appointed Mr. Liviu Bota resident Deputy to my Special Envoy and Head of Mission of UNOMIG (see S/1995/839 and

S/1995/840). As outlined in my previous report (S/1995/657, paras. 8 and 9), the presence of a resident Deputy is intended to strengthen the efforts of the United Nations to find and implement a comprehensive settlement to the Georgian-Abkhaz conflict. In its presidential statement of 18 August (S/PRST/1995/39), the Security Council took note with appreciation of that decision.

5. Following the Deputy Special Envoy's arrival in the region at the beginning of October, he established contacts at the highest level in Tbilisi and Sukhumi and also visited Moscow for consultations with senior Russian officials with the aim of reactivating the negotiation process. While he was in Moscow from 20 to 25 October, the Georgian and Abkhaz sides had a further round of negotiations, on 24 October, with senior officials of the Government of the Russian Federation, chaired by Deputy Prime Minister Bolshakov. Mr. Bolshakov proposed to both sides that they should resume negotiations on the basis of the draft protocol. The Georgian side agreed, while the Abkhaz delegation again refused to do so, stating that it did not have the mandate to negotiate. It also made the resumption of talks dependent on the lifting of the Russian-imposed naval blockade of Sukhumi. The Abkhaz side also declined to sign a communiqué stating that both sides had met in Moscow. During the subsequent days there were bilateral contacts between the Russian and the Abkhaz delegations, and it was agreed that both sides would meet again on 30 October in Moscow. This meeting was postponed for several days and a new round of talks under the auspices of the Russian Federation began on 2 November.

Developments in the region

6. Since the issuance of my previous report (S/1995/657) there have been a number of significant political developments in the region, which directly or indirectly affect the Georgian-Abkhaz peace process.

7. Following a prolonged and vigorous debate within Georgia on the draft of a new constitution, the Georgian parliament adopted a text on 24 August. It was signed by the Head of State on 17 October. The Constitution declares the Republic of Georgia to be an independent, single and indivisible State. Internal territorial state arrangements will be defined when Georgia's jurisdiction over its whole territory has been restored. The Constitution in its entirety will come into effect after it is approved by the newly elected parliament. Parliamentary and presidential elections were to take place in Georgia on 5 November.

8. In mid-September a governmental delegation of the Russian Federation headed by Prime Minister Viktor Chernomyrdin paid an official visit to Georgia. The two sides signed a number of agreements. They reaffirmed their adherence to the principles of respect of sovereignty, territorial integrity of States and inviolability of existing borders, and condemned aggressive separatism and terrorism in any form. They expressed their conviction that an early overall political settlement of the conflict in Abkhazia was indispensable and considered it of utmost importance to accelerate the organized return of refugees and displaced persons to their places of permanent domicile.

9. The Abkhaz authorities were critical of the agreements signed, in particular those on military bases and railway transportation, arguing that they seriously affected their interests and complicated the situation both inside and around Abkhazia. Later, in October, representatives of the Abkhaz side and the Russian Federation reportedly agreed on the modalities for restoring the railway line crossing Abkhazia.

III. HUMANITARIAN SITUATION

A. Situation of refugees and displaced persons

10. Since my previous report, there has been no significant change in the situation of the displaced persons, including the possibilities for their voluntary return to Abkhazia in conditions of safety and dignity.

11. The Office of the United Nations High Commissioner for Refugees (UNHCR) has reported that the volume of movements back and forth across the Inguri River by displaced persons has remained high, but the official Abkhaz claim that 50,000 persons have returned to the Gali district appears to be excessive and should be seen in the context of continuing commuting. There has been no return of internally displaced persons to areas north of the Gali canal, where violent incidents continue to take place. UNHCR reports that the situation in the lower security zone of the Gali district has remained stable. Many displaced persons returned temporarily during the summer months to gather the harvest but have since gone back to the Zugdidi region in western Georgia. UNHCR has further reported that in the upper security zone of the Gali district Russian and other schools have been reopened.

12. The situation in that part of the Gali district which lies outside the security zone remains very volatile. Until August, UNHCR had continued to monitor the situation in the area but stopped doing so after an incident in which Abkhaz militia fired bullets into a UNHCR vehicle. Since August UNHCR has had only an intermittent presence in the Gali district and this limits its ability to monitor the local situation regularly.

13. UNHCR has continued to carry out its humanitarian assistance programme by providing reconstruction material to the small number of returnees in Gali and Ochamchira whose houses had been destroyed. This limited reconstruction effort has now ended. No looting of the rebuilt houses has been reported. UNHCR has also distributed a number of school kits to schools in the Gali district.

B. Consolidated inter-agency appeal for the Caucasus

14. As described in my two previous reports (S/1995/342 and S/1995/657), the second consolidated inter-agency appeal, covering the period from 1 April 1995 to 31 March 1996, was launched at Geneva on 23 March 1995. In that appeal $36,473,385 was requested for United Nations-system projects in Georgia that addressed primarily the immediate needs of internally displaced persons.

15. It is encouraging that there has been a more positive response to this appeal. As at 1 September, approximately $20 million, or 52.3 per cent of the total requested, had been received from the international donor community. This substantial increase in financial assistance will enable the ongoing United Nations programmes in Georgia to continue.

C. Human rights

16. In my previous report (S/1995/657, paras. 23-28), I informed the Security Council of my efforts to find ways of improving the observance of human rights in the region, especially in accordance with paragraph 9 of Security Council resolution 993 (1995). I have instructed my Special Envoy and his resident Deputy to give priority to exploring with all sides, and in particular with the Abkhaz authorities, the possibility of establishing such a mission in Abkhazia.

IV. OPERATIONS OF THE UNITED NATIONS OBSERVER MISSION IN GEORGIA

17. During the period covered by the present report, UNOMIG has continued to fulfil the tasks mandated by the Security Council, operating in the security zone, the restricted weapon zone and the Kodori Valley. As I informed the Security Council in my report of 7 August (S/1995/657, para. 56), the Chief Military Observer of UNOMIG, Brigadier-General John Hvidegaard (Denmark), relinquished his command at the end of two years of duty. The new Chief Military Observer, Major-General Per Källström (Sweden), assumed his duties on 28 October 1995. The Mission continues to maintain its full authorized strength of 136 military observers, who are drawn from 23 countries (see annex I). The observers are supported by 55 international and 75 local civilian staff.

18. The disposition of UNOMIG on the ground was changed recently to allow more military observers to be positioned permanently in the security zone and to enable those elements of the military operations staff who were previously located in Pitsunda to be redeployed to Sukhumi (see map in annex II). The Chief Military Observer and the majority of his operations staff are now based at UNOMIG headquarters in Sukhumi, while a small number (mainly administrative) remain at Pitsunda. The Mission has been organized in two sectors, with headquarters at Gali and Zugdidi. The main headquarters at Sukhumi has passed to Gali Sector its patrolling function in the restricted weapon zone, while retaining responsibility for patrolling the Kodori Valley. Finally, a small forward headquarters, co-located with the sector headquarters, has been set up in Zugdidi. This headquarters will be operational only in times of crisis or to meet the needs of specific operations. The liaison office in Tbilisi continues to function with a strength of four military observers.

19. The concept of operation has remained as previously reported, despite the changes mentioned above. The six team bases (one in the Kodori Valley, at Azhara; three in the Gali Sector, at Inguri GES, Otobaya and Zemo-Bargevi; and two in the Zugdidi Sector, at Dzvari and Darcheli) continue to provide a permanent UNOMIG presence in areas that are of importance to the Georgian or the Abkhaz side and enable UNOMIG to cooperate closely with the peace-keeping force

of the Commonwealth of Independent States (CIS). The UNOMIG modus operandi has been made more flexible to allow the mounting of specific operations in response to a particular threat or situation. "Operation Gali Watch", for example, was instituted during a period of rising tension on the west side of the Inguri River in mid-September, when the Abkhaz militia went on a heightened state of alert in the wake of the agreements signed between the Russian Federation and Georgia (see para. 8 above) and an unannounced exercise by the CIS peace-keeping force, which, however, was not completed. "Operation Gali Watch" has been extended and will continue through the period of the presidential and legislative elections in Georgia.

20. Since my 7 August report to the Security Council (S/1995/657), there have been further incidents of restriction on the freedom of movement of UNOMIG personnel and of armed robberies against them. These incidents have occurred mostly in the restricted weapon zone, only on the Abkhaz side, and in particular in the Tkvarcheli area and the area south of Ochamchira. In the latter region, patrols were robbed at gunpoint on two occasions by persons unknown, while the restrictions on UNOMIG freedom of movement in the Tkvarcheli area were attributable to individuals claiming to be in authority. There was also one incident of armed robbery involving a UNOMIG patrol in the security zone and, most recently, a patrol was robbed at gunpoint by masked men in the Kodori Valley. All the incidents involving robbery were deemed to be criminally motivated. In most cases the Abkhaz authorities reacted positively to UNOMIG protests or requests for assistance. The pervasive lawlessness in the security and restricted weapon zones in Abkhazia, which the authorities allege they are unable to control, has a negative effect on the Mission's ability to meet its mandated tasks. UNOMIG has discussed the possibility of instituting joint patrols with the CIS peace-keeping force north of the Gali Canal in order to enhance the protection of its patrols.

21. Cooperation and communication with Abkhaz and Georgian authorities has continued at an acceptable level, despite some concerns voiced by both sides. From the Georgian side, there are continuing complaints that not enough is being done to repatriate the refugees and displaced persons. On the Abkhaz side, the criticism relates to the alleged failure of UNOMIG to prevent the infiltration of armed elements into the Gali region.

22. UNOMIG has continued to cooperate with UNHCR. Cooperation with non-governmental organizations includes biweekly formal meetings at which matters of mutual concern, including security, are discussed.

23. Since my last report, representatives of the Organization for Security and Cooperation in Europe (OSCE) have visited Abkhaz authorities on two occasions. These visits, which also included talks with military observers in the area, were facilitated by UNOMIG. In addition, the Head of Mission and other UNOMIG officers met with OSCE representatives.

V. SITUATION ON THE GROUND

A. General

24. During the reporting period, the situation in the UNOMIG area of responsibility was tense and unsettled, and there were 15 violent incidents reported against the civilian population. These incidents were mainly robberies, but there were also occasional kidnappings. Six people were killed and 12 injured by small-arms fire. UNOMIG believes that much of the crime-related activity in the Gali region is carried out by members of the local population and it has noted a correlation between the presence of Abkhaz military reservists and increased looting.

25. There were six mine casualties (five civilians and one CIS peace-keeping force member) during the reporting period. Five of these occurred in the security zone and one in the Kodori Valley. Limited mine clearance is conducted by the CIS peace-keeping force. However, the International Committee of the Red Cross (ICRC) has started an initiative to clear mines on a larger scale using the services of a non-governmental organization.

26. In my last report, I stated (S/1995/657, para. 36) that in spite of the control that the CIS peace-keeping force exercised over the Abkhaz militia's freedom of action, returnees were fearful that the militia would take action against them, such as confiscating their crops at harvest time. To date, however, the harvest season for nuts, corn and mandarin oranges has passed without major incidents. UNOMIG and the CIS peace-keeping force are alert to the continuing possibility of violence.

B. Security and restricted weapon zones

27. The CIS peace-keeping force has introduced a new system of weapon permits in the security zone that enables local authorities to issue the permits. This has been instituted on the Georgian side and is expected in the near future on the Abkhaz side, where the number of local militia personnel is considerably smaller. UNOMIG has expressed concern about the local Georgian authorities' ability to control the issue of weapon permits. Although the so-called "Uberia battalion" has been disbanded, there are still many groups within the internal security forces that have the potential to be armed. UNOMIG is closely monitoring this aspect of the security situation.

28. On the Georgian side of the Inguri River there have been a number of arrests of prominent members of the former Rescue Corps (Mkhedrioni), most notably that of the Rescue Corps leader in Zugdidi. The immediate result has been a significant decrease in crime, in particular in the Shamgona area, which, as I noted in my last report (S/1995/657, para. 38), had a high crime rate related to Rescue Corps activities. However, the Abkhaz side alleges that part of the criminal activity on their side of the river is carried out by former Rescue Corps members fleeing the spate of arrests that followed the attempt on the life of the Georgian Head of State at the end of August. This applies in particular to the Primorsk region, where a sudden upsurge of incidents was reported in recent weeks.

29. UNOMIG has continued to experience difficulties in gaining access to the two heavy-weapon storage sites at Senaki on the Georgian side and Ochamchira on the Abkhaz side (see S/1995/657, para. 41). The last visits to the sites took place on 21 August (Senaki) and 31 August (Ochamchira); neither visit was successful as only partial inspection was allowed by the Abkhaz authorities and access was denied entirely by the Georgians. UNOMIG has sent letters of protest to the Minister of Defence of Georgia and to the Abkhaz authorities. Their replies are awaited.

30. As reported previously (see S/1995/657, para. 42), an armoured vehicle had been stationed for a long time outside the Zugdidi police station in violation of the 14 May 1994 agreement. The vehicle was removed in early August.

C. Kodori Valley

31. The situation in the Kodori Valley remained calm throughout the reporting period. However, two shooting incidents - both apparently without political motivation - were reported. There was no change in the Abkhaz or Svan deployment in the valley, but bilateral meetings between the two groups did not resume either. The presence of the UNOMIG team base at Azhara (see S/1995/657, para. 43) continued to have a positive influence and its base personnel continued to enjoy a good working relationship with the CIS peace-keeping force in the valley. However, the presence of UNOMIG observers at Azhara during the winter months is being reviewed as mobility and logistics will be severely curtailed by snow at that time of year.

VI. COOPERATION BETWEEN THE UNITED NATIONS OBSERVER MISSION IN GEORGIA AND THE COLLECTIVE PEACE-KEEPING FORCES OF THE COMMONWEALTH OF INDEPENDENT STATES

32. Cooperation between UNOMIG and the CIS peace-keeping force continues to be satisfactory at all levels. Regular meetings are held to discuss problems of mutual concern and joint patrolling in the security zone has been successful, contributing to the reasonable security situation in the area.

33. Exchange of information between UNOMIG and the CIS peace-keeping force is satisfactory, although from time to time information that should have been passed to UNOMIG has not been forthcoming. For example, on 29 September UNOMIG became aware of an exercise involving the CIS peace-keeping force in the security zone; this unannounced exercise caused alarm on the Abkhaz side, which could have had serious repercussions.

VII. SOCIAL AND ECONOMIC ASPECTS

34. Emergency relief and humanitarian aid are still the predominant modes of United Nations assistance and other donors' support to Georgia. However, there is a wide range of other development initiatives. The Bretton Woods institutions are assisting Georgia to evolve from its current status of a mere recipient of humanitarian and development aid into a self-reliant and genuine

United Nations partner in development cooperation. The International Monetary Fund (IMF) has provided stand-by arrangements and in particular has enhanced its structural adjustment facility for Georgia, as well as providing senior monetary advisers. IMF technical assistance also covers the fields of banking, taxation and support for the introduction of the new national currency, the lari, which became the sole legal currency in Georgia on 2 October.

35. As for other United Nations specialized agencies and programmes, the United Nations Children's Fund (UNICEF), the World Health Organization (WHO) and the United Nations Population Fund (UNFPA) are operationally supporting basic social services that should normally be provided by government. This support also involves capacity-building in the sectors of education, health and family planning. The United Nations Development Programme (UNDP), the Economic Commission for Europe (ECE), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the Food and Agriculture Organization of the United Nations (FAO) and the United Nations Conference on Trade and Development (UNCTAD) are providing the Government of Georgia with policy advice for capacity-building in the economic and public administration sectors. Current UNDP programmes include an aid coordination project with the Government of Georgia, aimed at helping the authorities to mobilize resources, create systems and train staff in aid management and coordination mechanisms. UNDP is also funding public management and wheat cultivation projects. UNICEF has begun to undertake a number of projects in the field of public health, including an expanded programme of immunization in cooperation with the Georgian Ministry of Health. The United Nations Industrial Development Organization (UNIDO) has continued to assist the Government in developing a plan for the restructuring of Georgia's industry.

VIII. OBSERVATIONS

36. The Georgian-Abkhaz peace process remains deadlocked. As I have stated in my two previous reports (S/1995/342, paras. 42-44, and S/1995/657, paras. 52-56) and underline once again, it is the parties to a conflict who must make peace. Despite the numerous efforts during most of 1995 by the facilitator in the peace process, the Russian Federation, in close consultation with my Special Envoy and, since early October, his resident Deputy, the Georgian and Abkhaz sides remain far apart on the core issue of the conflict, that is, the future political status of Abkhazia.

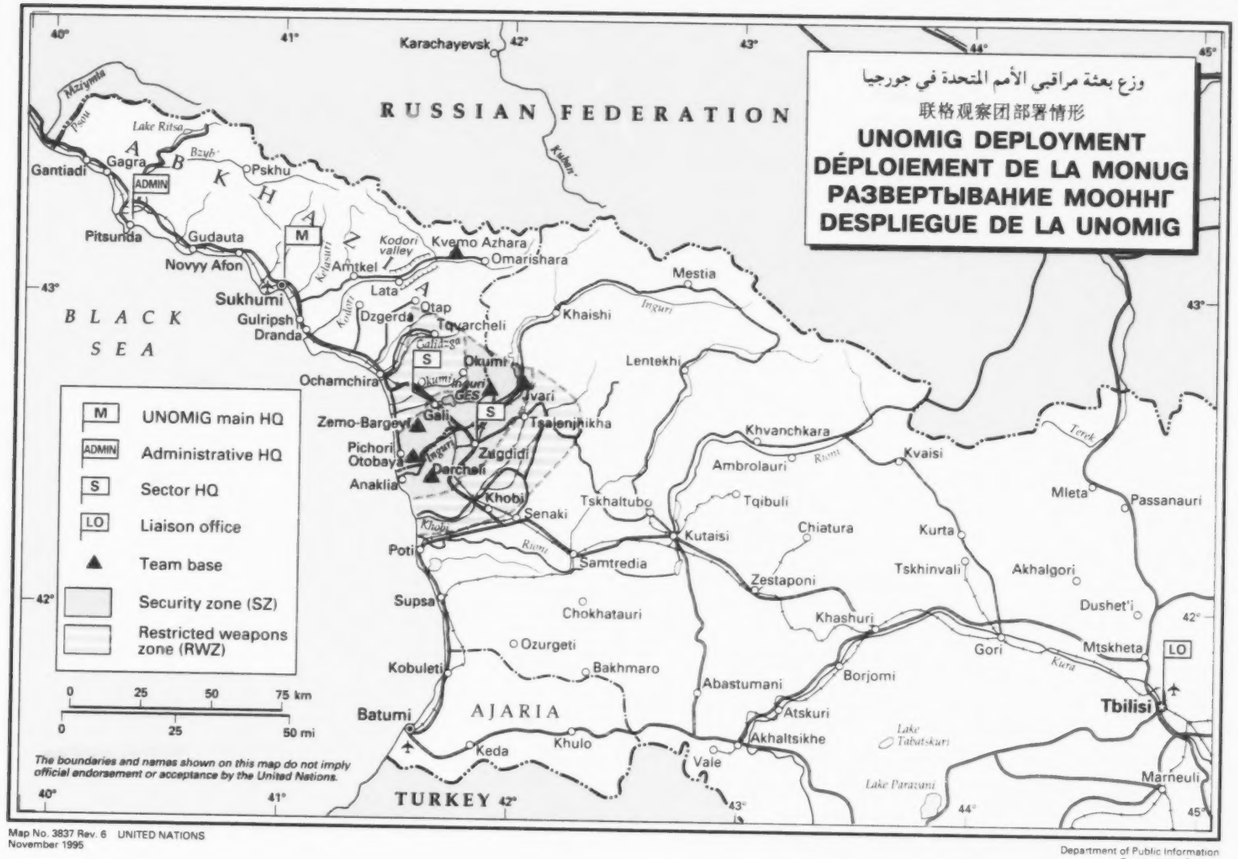
37. It appears that the continuing standstill in the search for a political solution of the conflict is due primarily to the Abkhaz side's unwillingness to offer concessions on its future political status. The Abkhaz side appears to be influenced in part by hopes and expectations that changes in the external political environment could enable it to maintain its present position in the negotiating process. I have to point out in this connection that the longer the conflict remains unresolved, the more these hopes could turn into a further isolation of the Abkhaz side, in particular in view of the international community's continuing and consistent support for the territorial integrity of Georgia. More disturbingly, the prevailing deadlock could cause a build-up of pressures that could lead to a resumption of hostilities.

38. My Special Envoy remains ready to mediate between the two sides. Meanwhile, his resident Deputy is working hard to help reactivate the negotiation process by consulting intensively with all sides, including with senior officials of the Russian Federation. However, for real progress to be achieved, my Special Envoy believes that both sides must show concrete signs that they are willing and able to reach and implement a comprehensive settlement, based on three essential elements - the safe and early return of the refugees and internally displaced persons, maintenance of the territorial integrity of Georgia and a special status for Abkhazia. In the meantime, I sincerely hope that the present Russian-led efforts to achieve a political solution will have positive results.

Annex I

Composition of the United Nations Observer Mission in Georgia at 1 November 1995

Country	Military observers
Albania	1
Austria	4
Bangladesh	11
Cuba	4
Czech Republic	5
Denmark	5
Egypt	5
France	5
Germany	10
Greece	5
Hungary	8
Indonesia	6
Jordan	8
Pakistan	8
Poland	5
Republic of Korea	6
Russian Federation	3
Sweden	9
Switzerland	5
Turkey	5
United Kingdom of Great Britain and Northern Ireland	10
United States of America	4
Uruguay	4
Total	136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联格观察团部署情形
UNOMIG DEPLOYMENT
DÉPLOIEMENT DE LA MONUG
РАЗВЕРТЫВАНИЕ МООННГ
DESPLIEGUE DE LA UNOMIG
RUSSIAN FEDERATION
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Gantiadi
Gagra
Pskhu
Pitsunda
Gudauta
Novyy Afon
Sukhumi
Gulripsh
Dranda
Amtkel
Kvemo Azhara
Omarishara
Lata
Otap
Dzgerda
Tqvarcheli
Ochamchira
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Gali
Zemo-Bargevi
Pichori
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Anaklia
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Dushet'i
Mtskheta
Tbilisi
Marneuli
Lake Tabatskuri
Lake Paravani
BLACK SEA
M UNOMIG main HQ
ADMIN Administrative HQ
S Sector HQ
LO Liaison office
Team base
Security zone (SZ)
Restricted weapons zone (RWZ)
0 25 50 75 km
0 25 50 mi
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